

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

|                              |   |   |
|------------------------------|---|---|
| Walter W. Thiemann, et al.   | ) | Case No. C-1-00-793                     |
|                              | ) |   |
| Plaintiff,                   | ) | (Judge Sandra S. Beckwith)              |
|                              | ) |   |
| -v-                          | ) | Magistrate Judge Timothy Hogan          |
|                              | ) |   |
| OHSL Financial Corp., et al. | ) |   |
|                              | ) | <u>NOTICE OF EXPERT DEPOSITION OF</u>   |
| Defendant.                   | ) | <u>ROSS D. FUERMAN PH.D., J.D., CPA</u> |
|                              | ) | <u>(OHIO), CFE</u>                      |

Please take notice that, by agreement of the parties, the OHSL and Provident Defendants, by and through counsel, will take the deposition of Plaintiffs' expert witness Ross D. Fuerman, Ph.D., J.D., CPA (Ohio), CFE on Thursday, October 21, 2004, beginning at 9:00 a.m. and continuing from day to day until completed. The deposition will take place at Esquire Deposition Service, 216 E. 45<sup>th</sup> Street, New York, New York, 10017. Such deposition will be recorded by stenographic means. The deposition shall be taken pursuant to Rule 30 of the Federal Rules of Civil Procedure and may be used for all purposes permitted therein.

The deponent is required, pursuant to Rule 30 of the Federal Rules of Civil Procedure, to produce the following at the deposition:

1. His entire file with regard to this matter;
2. All reports, affidavits, correspondence, memoranda, charts, demonstrative exhibits, analysis, or other materials, prepared in connection with this action, as well as all drafts of such documents;

3. All documents relating to the compensation to be paid to the deponent for serving as an expert in this matter;

4. All documents relating to prior engagements and prior business relationships (and all compensations paid in connection therewith) involving the deponent and any of the following:

- (a) Gene Mesh, Esq.;
- (b) Michael Brautigam, Esq.; and
- (c) Gene Mesh and Associates.

(5) All documents, data or information which the deponent received, reviewed, considered, or upon which he relied in any manner, in formulation the opinion(s) to be offered at trial or which relate to the basis or reasons for such opinion(s).

If advised by counsel for Plaintiff that formal process is necessary, Defendants will serve the witness with a subpoena under Ohio Civil Rule 45 to compel attendance at the deposition and production of the requested documents.

Respectfully submitted,

s/James H. Greer

David C. Greer (0009090), Trial Attorney

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 18, 2004, I electronically filed the NOTICE OF EXPERT DEPOSITION with the Clerk of Courts, using the CM/ECF System which will send notification electronically to the following:

Gene I. Mesh (*via U.S. Mail only*)  
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s/James H. Greer  
James H. Greer